



Michael V. Drake, MD
President

July 27, 2021

Office of the President
1111 Franklin St.
Oakland, CA 94607

universityofcalifornia.edu

CHANCELLOR – UC BERKELEY

Delegation of Authority – Agreement with the City of Berkeley, Berkeley Campus

CAMPUSES

- Berkeley
- Davis
- Irvine
- UCLA
- Merced
- Riverside
- San Diego
- San Francisco
- Santa Barbara
- Santa Cruz

MEDICAL CENTERS

- Davis
- Irvine
- UCLA
- San Diego
- San Francisco

NATIONAL LABORATORIES

- Lawrence Berkeley
- Lawrence Livermore
- Los Alamos

At the July 2021 meeting, the Regents approved Authorization to Enter into Agreement Resolving Disputes with the City of Berkeley Related to the Proposed Long Range Development Plan and Other Campus Development Projects – California Environmental Quality Act – Berkeley (“Agreement”). In their July 2021 approval (Item C3(X)(1)), the Regents delegated authority to the President in connection with the referenced Agreement, with the intent that it would be further delegated to the Chancellor of the Berkeley campus (“campus”). The following Authority is delegated to you with respect to the Agreement:

In consultation with the Office of the General Counsel, all power and authority to approve and execute the Agreement, materially consistent, as determined by the Office of General Counsel, with the following terms approved by the Regents at their July 2021 meeting:

- \$4.1 million annual payment, subject to a three percent yearly inflation escalator, by the campus to the City for a 16-year period;
- Funding of the Chancellor’s Community Fund by the campus for the City at approximately \$300,000 annually, subject to campus finances;
- The City’s continued commitment to keep campus sewer fees steady;
- The City’s agreement to dismiss existing lawsuits and not to file legal challenges to other campus projects that the campus currently contemplates pursuing before 2037; and
- The City’s right to terminate the 2021 Agreement (and forego all University financial obligations therein) (1) to file a lawsuit regarding a specific proposed capital project tiered from the 2021 LRDP Environmental Impact Report (EIR) pending before the Regents for certification at its July 2021 meeting or (2) if campus undergraduate

enrollment exceeds 1% annual enrollment growth, compounded annually, compared to the 2020-2021 undergraduate enrollment level, with its obligation not to challenge approval of the Upper Hearst, People's Park, and Anchor House housing projects and the pending 2021 LRDP surviving such termination.

Effective immediately, the above authorities and responsibilities delegated to the President are re-delegated to you.

There shall be no further delegation of the above authority.

Sincerely,

A handwritten signature in black ink that reads "Michael V. Drake, MD". The signature is written in a cursive, flowing style with a large, stylized initial "M".

Michael V. Drake, MD
President

cc: Divisions Leaders
Principal Officers and other Regents
Universitywide Policy Office